

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF NEW JERSEY

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name 801 Asbury Avenue, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 00-0000000

4. Debtor's address Principal place of business Mailing address, if different from principal place of business

801 Asbury Avenue
Suite 301
Ocean City, NJ 08226

Number, Street, City, State & ZIP Code

Cape May
County

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

801 Asbury Avenue, Units 1-6, 412 E. 8th Street;
and 800, 812, 816 & 820 Central Avenue Ocean
City, NJ 08226

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

Debtor **801 Asbury Avenue, LLC**
Name

Case number (if known)

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☐ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?**Check one:**

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

Debtor **801 Asbury Avenue, LLC** Case number (if known) _____
Name

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor? ☐ No ☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor **James McCallion** Relationship **affiliate**
District **District of New Jersey** When **5/22/20** Case number, if known **20-16782**

11. Why is the case filed in this district? Check all that apply:
☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention? ☒ No ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.
- Why does the property need immediate attention?** (Check all that apply.)
☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
☐ It needs to be physically secured or protected from the weather.
☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
☐ Other _____
- Where is the property?** _____
Number, Street, City, State & ZIP Code
- Is the property insured?**
☐ No
☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds Check one:
☒ Funds will be available for distribution to unsecured creditors.
☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors ☒ 1-49 ☐ 1,000-5,000 ☐ 25,001-50,000
☐ 50-99 ☐ 5001-10,000 ☐ 50,001-100,000
☐ 100-199 ☐ 10,001-25,000 ☐ More than 100,000
☐ 200-999

15. Estimated Assets ☐ \$0 - \$50,000 ☒ \$1,000,001 - \$10 million ☐ \$500,000,001 - \$1 billion
☐ \$50,001 - \$100,000 ☐ \$10,000,001 - \$50 million ☐ \$1,000,000,001 - \$10 billion
☐ \$100,001 - \$500,000 ☐ \$50,000,001 - \$100 million ☐ \$10,000,000,001 - \$50 billion
☐ \$500,001 - \$1 million ☐ \$100,000,001 - \$500 million ☐ More than \$50 billion

Debtor **801 Asbury Avenue, LLC** Case number (if known) _____
Name

16. Estimated liabilities☐ \$0 - \$50,000☐ \$50,001 - \$100,000☐ \$100,001 - \$500,000☐ \$500,001 - \$1 million☒ \$1,000,001 - \$10 million☐ \$10,000,001 - \$50 million☐ \$50,000,001 - \$100 million☐ \$100,000,001 - \$500 million☐ \$500,000,001 - \$1 billion☐ \$1,000,000,001 - \$10 billion☐ \$10,000,000,001 - \$50 billion☐ More than \$50 billion

Debtor **801 Asbury Avenue, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 26, 2021**
MM / DD / YYYY

X /s/ James McCallion

Signature of authorized representative of debtor

James McCallion

Printed name

Title **Sole Member**

18. Signature of attorney

X /s/ David B. Smith

Signature of attorney for debtor

Date **May 26, 2021**

MM / DD / YYYY

David B. Smith 024221990

Printed name

Smith Kane Holman, LLC

Firm name

112 Moores Road

Suite 300

Malvern, PA 19355

Number, Street, City, State & ZIP Code

Contact phone **610-407-7215**

Email address **dsmith@skhlaw.com**

024221990 NJ

Bar number and State

Fill in this information to identify the case:

Debtor name 801 Asbury Avenue, LLC

United States Bankruptcy Court for the: DISTRICT OF NEW JERSEY

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 26, 2021

X /s/ James McCallion

Signature of individual signing on behalf of debtor

James McCallion

Printed name

Sole Member

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **801 Asbury Avenue, LLC**
 United States Bankruptcy Court for the: **DISTRICT OF NEW JERSEY**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Atlantic City Electric P.O. Box 13610 Philadelphia, PA 19101		Utility Acct. #1 2438 - \$23,363.72; Acct. #2 4894 -\$656.35				\$24,020.07
B Safe, Inc. 109 Baltimore Avenue Wilmington, DE 19805		Maintenance				\$5,667.96
D&T Electric 21 W. Woodland Avenue Cape May Court House, NJ 08210		services				\$1,787.75
Kencor, LLC P.O. Box 1659 West Chester, PA 19380		Elevator Maintenance				\$6,277.69
New Jersey American Water P.O. Box 371331 Pittsburgh, PA 15250		Utility Acct. #1 - \$1,946.55 Acct. #2 - \$1,850.21				\$3,796.76
New Jersey Dept. of Community Affairs Decision of Codes and Standards Elevator Safety Unit P.O. Box 816 Trenton, NJ 08625		Inspection Fee				\$339.00
Ocean City Tax Collection 861 Asbury Avenue Ocean City, NJ 08226		real estate taxes				\$48,497.85

Debtor **801 Asbury Avenue, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Rich Fire Protection Company 34 Somerset Avenue Pleasantville, NJ 08232		Fire Protection Maintenance				\$4,045.82
South Jersey Gas P.O. Box 6091 Bellmawr, NJ 08099		Utility Acct. #1 9223 - \$747.86; Acct. #2 5044 - \$5,266.99				\$6,014.85
State of New Jersey Dept. of Communicyt Affairs Bureau of Fire Code Enforcement P.O. Box 809 Trenton, NJ 08625		Registration Renewal Fee				\$974.00
TEC Elevator Company 7251 Browning Road Merchantville, NJ 08109						\$1,322.15

**United States Bankruptcy Court
District of New Jersey**

In re 801 Asbury Avenue, LLC Debtor(s) Case No. _____
Chapter 11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
James McCallion 801 Asbury Avenue Suite 301 Ocean City, NJ 08226		100%	

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the **Sole Member** of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date May 26, 2021 Signature /s/ James McCallion
James McCallion

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

Arista Enterprises LLC
801 Asbury Avenue
Suites 202, 204 (& 2nd fl hallway closet)
Ocean City, NJ 08226

Atlantic City Electric
P.O. Box 13610
Philadelphia, PA 19101

B Safe, Inc.
109 Baltimore Avenue
Wilmington, DE 19805

Cornerstone Ministries
dba Second Chance Boutique
801 Asbury Avenue
Suite 1
Ocean City, NJ 08226

Critical Mass Group LLC
801 Asbury Avenue
Suite 305
Ocean City, NJ 08226

D&T Electric
21 W. Woodland Avenue
Cape May Court House, NJ 08210

Giannascoli & Thomas, P.C.
801 Asbury Avenue
Suites 304
Ocean City, NJ 08226

Ginn Computer Company, Inc.
At The, LLC T/A At The Beach
801 Asbury Avenue
Unit 5, Suites 513, 512 & 511
Ocean City, NJ 08226

Hance Jaquett
801 Asbury Avenue
Suite 612
Ocean City, NJ 08226

Jim Plousis
801 Asbury Avenue
Suite 403
Ocean City, NJ 08226

John D. Pojawis, Jr.
dba Freedom Financial
801 Asbury Avenue
Suite 300
Ocean City, NJ 08226

Joseph Gavranich
801 Asbury Avenue
Suite 303
Ocean City, NJ 08226

Joy Broadcasting
801 Asbury Avenue
Suite 401
Ocean City, NJ 08226

Kencor, LLC
P.O. Box 1659
West Chester, PA 19380

Kutztown Mortgage Partners, LLC
c/o National Capital Managment, L.P.
455 Pennsylvania Avenue
Suite 2LF
Fort Washington, PA 19034

Lauletta Birnbaum, LLC
801 Asbury Avenue
Suite 306
Ocean City, NJ 08226

Meghan J. McCormick Hoerner, LLC
801 Asbury Avenue
Suite 603
Ocean City, NJ 08226

Michael Lombardi
801 Asbury Avenue
Suite 410
Ocean City, NJ 08226

National Capital Management, L.P.
455 Pennsylvania Avenue
Suite 2LF
Fort Washington, PA 19034

New Jersey American Water
P.O. Box 371331
Pittsburgh, PA 15250

New Jersey Dept. of Community Affairs
Decision of Codes and Standards
Elevator Safety Unit
P.O. Box 816
Trenton, NJ 08625

Ocean City Tax Collection
861 Asbury Avenue
Ocean City, NJ 08226

Rich Fire Protection Company
34 Somerset Avenue
Pleasantville, NJ 08232

Ron L. Woodman, Esquire
Friedman schuman Applebaum Nemeroff, PC
101 Greenwood Avenue, Suite 500
Jenkintown, PA 19046-2636

Ron L. Woodman, Esquire
Friedman schuman Applebaum Nemeroff, PC
101 Greenwood Avenue, Fifth Floor
Jenkintown, PA 19046-2636

Sample Media, Inc.
801 Asbury Avenue
Portion of Unit 3,
Suites 311, 310, 308, 306 & 304
Ocean City, NJ 08226

South Jersey Gas
P.O. Box 6091
Bellmawr, NJ 08099

State of New Jersey
Dept. of Communicyt Affairs
Bureau of Fire Code Enforcement
P.O. Box 809
Trenton, NJ 08625

TEC Elevator Company
7251 Browning Road
Merchantville, NJ 08109

Thrivent Financial for Luthernas
801 Asbury Avenue
Suites 601 & 602
Ocean City, NJ 08226

**United States Bankruptcy Court
District of New Jersey**

In re **801 Asbury Avenue, LLC**

Debtor(s)

Case No.
Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **801 Asbury Avenue, LLC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

May 26, 2021

Date

/s/ David B. Smith

David B. Smith 024221990

Signature of Attorney or Litigant
Counsel for **801 Asbury Avenue, LLC**
Smith Kane Holman, LLC

**112 Moores Road
Suite 300
Malvern, PA 19355
610-407-7215 Fax:610-407-7218
dsmith@skhlaw.com**